

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26524 of 2025

Arising Out of PS. Case No.-319 Year-2024 Thana- EXCISE MADHUBAN District- East
Champaran

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Raju Kumar S/O Late Sikandar Mali Resident of village- Godariya, P.S.-
Fenhara, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nishi Nath Ojha, Advocate

Mr. S.K. Sharma, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 29-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioner is permitted to
make necessary correction at the appropriate places in the bail
application in course of the day.

3. The petitioner seeks bail in connection with Excise
(Madhuban) P.S. Case No. 319 of 2024, instituted for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

4. The prosecution case, in short, is that, 120 liters
liquor was recovered from motorcycle and the petitioner was
apprehended on spot.

5. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel for the petitioner also submits that the petitioner is not the owner of the motorcycle in question. The petitioner was arrested on the basis of suspicion. The petitioner is in custody since 04.09.2024 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise (Madhuban) P.S. Case No. 319 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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